

ORIGINAL

Case No.: 1-19-cv-03372-AMD-RML

Date March 15, 2022

Hon. Ann M. Donnelly

United States District Court

Eastern District of New York

Dear Judge Donnelly,



I Yehuda Herskovic am the plaintiff in this action and write to the Court the following status report. On March 15, 2022, the arbitrator ruled:

Having duly considered the submissions of the parties, I hereby rule pursuant to ICDR Rule 14 (a) that I do have jurisdiction to arbitrate this case because there is a valid arbitration agreement covering the claim.



Additionally, the respondent's request to file a summary judgment motion on res judicata grounds is hereby denied under ICDR Rule 33 because, in light of the apparent differences between the claim at issue in the small claims case and the claim in this arbitration, I cannot determine based on the materials before me that Respondent has shown substantial cause that the motion is likely to succeed

Plaintiff gives notice that he continues to object to the existence of an arbitration agreement and reserves the right to appeal from the order compelling arbitration.

In light of the facts that Plaintiff must continue with the arbitration under duress, Plaintiff will seek discovery and move for summary judgment.

Respectfully submitted,

Yehuda Herskovic, yhm1234@yahoo.com, 347 731 8818

 
MAR 16 2022